

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

Comcast of Massachusetts I, Inc.)	Case No.: 04 cv 12168 GAO
)	
Plaintiff,)	AFFIDAVIT OF ATTORNEY FOR
)	PLAINTIFF'S REQUEST
vs.)	FOR DEFAULT
)	
Thomas DeMarco)	
)	
Defendant)	
)	
)	
)	

Now comes John M. McLaughlin, Attorney for the Plaintiff in the above-entitled action,
and, on oath, states the following:

1. On October 14, 2004, the Plaintiff filed a Complaint against the Defendant, **Thomas DeMarco**, in United States District Court, alleging violations of 47 U.S.C. § 553.
2. On November 5, 2004, the said Defendant was served **by delivering in hand, by Deputy Sheriff George A. Hooper** (see copy of Deputy Sheriff's Return of Service marked **Exhibit A**, attached hereto, and made a part hereof).
3. Pursuant to the provisions of Rule 12 of the Fed. R. Civ. P., the Defendant had twenty days after being served with the summons and complaint within which to serve an answer to Plaintiff's Complaint.
4. To date, the Defendant has failed and neglected to file an answer to Plaintiff's Complaint or to otherwise defend against Plaintiff's claims.
5. I have filed herewith an application for entry of default, with the request that a Notice of Default be entered by this Court.

6. I have attached a Form of Order entitled Notice of Default, for the Court's use if it shall determine that the said Defendant is in default.

Subscribed and sworn to, under the pains and penalties of perjury, this 30th day of November, 2004.

Respectfully Submitted for the Plaintiff,
Comcast of Massachusetts I, Inc.
By Its Attorney,

/s/ John M. McLaughlin
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